DELAWARE COUNTY IOWA
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BOOK 2000 PAGE 1343
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
N/C

Instrument Preparer (R) Sharon McCrabb, Courthouse, Manchester, Ia. - (319) 927 4701

CERTIFICATION

Attached hereto is the supporting documentation for the passage of Ordinance #3 entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months" by the Board of Supervisors.

1. Proof of Publication of the Public Notice of the first reading of Ordinance #3 published March 7, 2000 in The Manchester Press and on March 8, 2000 in the Delaware County Leader.
2. Proof of Publication of the Public Notice of the final reading of Ordinance #3 published on March 14, 2000 in The Manchester Press and on March 15, 2000 in the Delaware County Leader.
3. Copy of Board of Supervisors Official Minutes of March 27th, 2000 showing the first reading of Ordinance #3.
4. Copy of Board of Supervisors Official Minutes of April 3, 2000 showing the final reading of Ordinance #3.
5. Proof of Publication of the full text of Ordinance #3 published on April 11, 2000 in The Manchester Press and April 12, 2000 in the Delaware County Leader.

I, Sharon McCrabb, County Auditor, do hereby certify that the attached are originals or true copies of the above listed instruments.

Dated this 2nd day of May, 2000.

Sharon McCrabb

Sharon McCrabb, Delaware County Auditor

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to before me, and in my presence by Sharon McCrabb, Delaware County Auditor, this 2nd day of May, 2000.

Carolyn A. Wilson

Carolyn A. Wilson, Notary Public in and for the State of Iowa

My commission expires 12-17-01.

DELAWARE COUNTY

ORDINANCE NO. 3

AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW OR ICE AND MAINTENANCE OF THIS COUNTY'S SECONDARY ROADS DURING THE WINTER MONTHS.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY:

SECTION 1 -- PURPOSE

The purpose of this ordinance is to establish this County's policy and level of service in respect to clearance of snow or ice and maintenance of its secondary road system during the winter months, as provided in ***Section 668.10(2) (1999), Code of Iowa,*** and pursuant to the provisions of Section 309.67, Code of Iowa. This policy and level of service are to be implemented within the amount of money budgeted for this service, and as contained in this County's secondary road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Board of Supervisors. ***The clearing of roads at any cost is not the County's policy.***

SECTION 2 -- LEVEL OF SERVICE

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. ***On occasion, County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee Testing Act of 1991. Except for "emergencies" as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis,*** all clearance of snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as

practicable. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, or frost. Snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removed from intersections will be piled in its corners in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions.
In respect to roadways that have only one lane open, further extreme watchfulness and caution should be exercised by the motorist, and their speed should not exceed 10 miles per hour. During these conditions, no additional warning or regulatory signs will be placed warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

SECTION 3 -- SEQUENCE OF SERVICE

In the implementation of snow and ice removal and other maintenance of the County's secondary road system during the winter months, the County Engineer shall select the actual sequence of roads to be cleared as provided for in this section of the ordinance, and shall determine when drifting, wind velocity, and additional snow or snowstorms require that the snow removal equipment be removed from the roadway, or that additional clearance of paved roads be accomplished prior to the clearance of gravel and dirt roads. The County Engineer's professional judgment, ***or his/her designee's,*** shall prevail, unless it is clearly erroneous.

PAVED ROUTES

1. The initial effort will be to get all routes open to ***two-lane*** traffic as soon as possible and or practicable. ***During initial snow removal operations, paved roads may only have one lane plowed for a period of time.***

2. After ***two***-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. The truck mounted snow plows and spreaders will not normally be in operation between dusk and daylight. The trucks may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.
4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel may be delayed.
5. It is not the policy of the County to provide a "dry" pavement condition.
6. ***After roads have been plowed, as provided in this section, intersections, hills, and curves may, but not necessarily, have placed on them, salt, sand, or other abrasives. These intersections, hills, and curves may not be resanded, resalted, or have other abrasives replaced on them between snowstorms.***

UNPAVED ROADS

1. The initial effort will be to get all routes opened to one-lane traffic as soon as possible and/or practicable after a storm has passed.

2. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.

3. Motorgraders and/or truck plows will not normally be in operation between dusk and daylight. Gravel roads may not be plowed if the wind is causing continual drifting. ***The motorgraders and/or truck plows may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.***

4. Snow may not be removed from roads designated at Level B.

PRIVATE DRIVES

The County will not clear snow from private drives. Normal snow removal operations may result in snow being deposited in private drives. Snow from private drives shall not be placed on the roadway or shoulders.

There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved or unpaved roads, shall take place.

MAILBOX REPLACEMENT

The County will assume no liability for mailboxes and fences damaged because of snow removal unless such action can be determined to be malicious or by direct contact with a plow or wing blade. The County will not replace mailboxes damaged or knocked down by the force of snow thrown from the plow.

SECTION 4 -- LIMITATION OF SERVICE

Notwithstanding anything else stated in this ordinance, the policy and level of service provided for in this ordinance shall not include the following, and the following services shall not be performed:

1. Sanding, salting, or placing other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost.

2. Sanding, salting, or placing of other abrasives upon paved roadways due to freezing rain that occurs outside the County's usual working hours.

3. Placing of additional warning or regulatory signs warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

4. Sanding, salting, or placing abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motorgraders.

SECTION 8 -- WHEN EFFECTIVE

This ordinance shall be in effect immediately after its final passage and publication as provided by law.

Passed and approved this 3 day of April , 2000.

Delaware County Board of Supervisors

Shirley E. Helmrichs

Shirley Helmrichs, Chair

William Skinner

William Skinner, Supervisor

Absent

G. Eldon Koeneke, Supervisor

ATTEST:

Sharon McCrabb

Sharon McCrabb, Delaware County Auditor

First Reading: March 27th, 2000

Second Reading: April 3, 2000

Approved: April 3, 2000

Published: April 11 & 12, 2000

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the Delaware County in case of Public Notice

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 7 day of March A.D. 20 00, and the last on the 7 day of March A.D. 20 00

Publication fee, $ 7

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 7 day of March A.D. 20 00

Witness my hand and seal the date last above written.

Peggy A. McElhaney Notary Public

NOTARIAL SEAL IOWA

PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8-13-00

PUBLIC NOTICE

Public Notice is hereby given that the Delaware County Board of Supervisors will consider the Delaware County Ordinance #3 entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months" at its regular meeting at 1:00 p.m. March 27th, 2000, in the Supervisors' Office, Courthouse, Manchester, Iowa. Copies of the full text of the ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor

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Legal Notice
Board of
Supervisors
PUBLIC NOTICE

Public Notice is hereby given that the Delaware County Board of Supervisors will consider the Delaware County Ordinance #3 entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months" at its regular meeting at 1:00 p.m. March 27th, 2000, in the Supervisors' Office, Courthouse, Manchester, Iowa. Copies of the full text of the ordinance are available to the public at the Auditor's Office.

Sharon McCrabb,
Delaware County Auditor

State of Iowa, Delaware County, ss

I, Mary Nelle being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for One consecutive weeks beginning March 8 2000, and ending Same 20____.

PRINTERS FEES: $8.42

Mary Nelle

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Nelle ON THIS 30th DAY OF March, 2000

Brenda Ketcher
Notary Public

NOTARIAL SEAL IOWA
BRENDA K. [illegible]
MY COMMISSION EXPIRES
04-13-02

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the Del Co Auditor in case of Public Notice

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 14 day of March A.D. 20 00, and the last on the 14 day of Mar A.D. 20 00

Publication fee, $ Larry K Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 14 day of March A.D. 20 00

Witness my hand and seal the date last above written.

Peggy A McE Notary Public

NOTARIAL SEAL IOWA

PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8-13-00

PUBLIC NOTICE

Public Notice is hereby given that the Delaware County Board of Supervisors will have the second and final reading of Ordinance #3, entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months" at their regular meeting at 1:00 p.m. on April 3, 2000 in the Supervisors' Office, Courthouse, Manchester, Iowa. Copies of the full text of the ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor

KIND--

PARTI

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Legal Notice
Board of 3-8-00
Supervisors
PUBLIC NOTICE

A public hearing will be held at 1:00 p.m. March 27, 2000 in the Supervisors' Office, Courthouse, Manchester, Iowa, on the proposed plan to install air conditioning in the upper level of the Courthouse in Manchester, Iowa.

The public is invited to attend and voice their opinions on this project as it's estimated cost may exceed $25,000.00.

Dated this 6th day of March, 2000.

Sharon McCrabb,
Delaware County Auditor

State of Iowa, Delaware County, ss
I, Mary Neele being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning March 15 2000, and ending Same 20___.
PRINTERS FEES: $7.32

Mary Neele

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Neele
ON THIS 30th DAY OF March, 2000

Brenda Kelchen
Notary Public

BRENDA KELCHEN
MY COMMISSION EXPIRES
04-13-02

KOCH BROTHERS, DES MOINES C-089-X H-0192-1

This being the date set for receiving quotes for culvert stock at the secondary road department, Mark Nehra, County Engineer, opened and read the quotes as follows:

Metal Culverts, Inc., Jefferson City Missouri	$31,497.10
Midwest Culverts, Ankeny, Iowa	32,111.58
Illowa Culvert & Supply Co., Low Moor, Iowa	35,847.40
Contech CPI, Johnston, Iowa	29,700.22

Motion made by Koeneke, seconded by Skinner and carried that the low bid of Contech CPI in the amount of $29,700.22 be accepted for the corrugated riveted metal pipe for the secondary road department. All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the Amendment #2 for Contract #5880C028 for Home Care Aide with the Department of Public Health be approved in the amount of $54,366.00. All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the application for renewal of liquor license and Sunday Sales for the Pizza Place, Inc,, Delhi, Iowa, be approved for the period 4-1-00 through 3-31-01. All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the Amendment of the Current Budget be approved for filing and publication and that the public hearing be set for April 3, 2000 at 1:00 p.m.. All ayes.

The Board advised they were going to attend an information meeting with the City of Manchester on the city zoning annexation plan. They have had concern expressed by people living in the area being considered for annexation and the Board expects to proceed cautiously.

Mark Nahra, County Engineer, discussed the requirement of anyone working in the county right of way to have a permit from the engineer's office. He said many work in the right of way to flatten the area for mowing, digging for a crossing for a waterline, etc.. He stated it is required in the Code of Iowa that permits be issued for anyone wishing to work in the right of way.

Motion made by Koeneke, seconded by Skinner and carried that the County Engineer be directed and authorized to sign the right of way work permits on behalf of the Board of Supervisors. All ayes.

The public hearing for the County Management Plan began at 1:48 p.m. Pat Kane explained that the plan was put together by an advisory council consisting of 6 providers, 3 consumers and representation from 5 parents with the Supervisors sitting in also.

The Goals and Objectives for FY 2001, 2002 and 2003 for the plan are as follows:

Goal 1. To continue to improve consumer and parent input into the decision making process of the Advisory Council. (No additional resources needed.)
Goal 2. Provide Adult Day Programming services to the MR/DD populations. ($60,000.00 has been budgeted.)
Goal 3. To explore supervised apartment living needs for the MI/CMI consumers in Delaware County. (No additional resources needed.)
Goal 4. Improve access to transportation for consumers.*($15,000.00 has been budgeted for.)
Goal 5. Expand supported employment opportunities. ($33,000.00 has been budgeted for.)
Goal 6. Improve public education of the mental health system. ($2,000.00 has been budgeted for.)
Goal 7. Improve Quality Assurance system. (No additional resources needed.)

* denotes previously budgeted services.

The public hearing was declared closed at 1:53 p.m.. There were no objections, written or voiced.

Motion made by Koeneke, seconded by Skinner and carried that the Plan be approved as printed. All ayes.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Vice-Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

****

March 27, 2000
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session at 1:07 p.m. with Helmrichs and Koeneke present and Skinner absent. Shirley Helmrichs, Chairperson, called the meeting to order.

Motion made by Koeneke, seconded by Helmrichs and carried that the following county employees be allowed to attend their respective meetings: Ann Shackelford to attend a Med Link Conference in Des Moines on March 29th; Pat Kane to attend a brain injuries ICN training session in Waterloo on March 31st. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the following claims be allowed for payment:

		GENERAL BASIC FUND	
Alliant Energy	utility service		$820.89
Mastercard	travel, sortware, filters & internet		684.45
Three Rivers FS	gasohol		1,608.80
Blue Cross & Blue Shield of Iowa	insurance costs		1,294.04
GTE, Midwest	phone service		85.17
Peoples Natural Gas Co.	utility expense		801.06
		MENTAL HEALTH FUND	
GTE, Midwest	phone service		186.54
Mastercard	meeting expense		108.02
Peoples Natural Gas	utility service		40.62
		SECONDARY ROAD FUND	
Alliant Energy	electric service		72.90
GTE Midwest	phone service		37.03
Swiss Valley Ag Service	Tordon		453.58
Peoples Natural Gas	utility service		168.53
Three Rivers FS	fuel		7,012.05

All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the following Resolution be approved:

Resolution

Pursuant to the 1999 Code of Iowa, Section 331.323 Sub Section 2d, we do hereby authorize the destruction of the following records in the Auditor's office:

1989-1990 Accounting Registers except Account Status
1996 City Election Registers
Primary Eelction Supplies from 6-2-98
School Election Supplies from Sept., 1999
Cancelled Warrants 1994-95
Paid Claims 1994-95
Duplicate Warrants 1994-95
Juvenile Justice Report 1993-94
Miscellaneous Receipts 1993-94
Blue Cross/Blue Shield Billings & Reports 1993-94
State Unemployment Quarterly Reports 1993
941 Quarterly Reports 1993
Iowa Withholding Quarterly Reports 1993
Workman's Comp. Worksheets 1993-94
FYE Worksheets 1993-94
IPERS Quarterly 1993

Dated this 27th day of March, 2000.

Delaware County Board of Supervisors
/S/ Shirley Helmrichs, Chairperson
/S/ Eldon Koeneke

All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the Amendment of the Current County Budget be approved for filing and publication and the public hearing be held at 1:00 p.m. on April 10, 2000. All ayes.

The Board of Supervisors held the first reading of the Delaware County Ordinance #3 entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months".

Motion made by Koeneke, seconded by Helmrichs and carried that the Board approve the first reading of the ordinance. All ayes. (Publication in The Manchester Press - 3-7-00 and Leader on 3-8-00.)

Motion made by Koeneke, seconded by Helmrichs and carried that the preliminary draft of the financial report for Delaware County for the year ending June 30, 1999 submitted by Hunt, Kain & Associates, P.C. be approved. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the following Resolution be approved:

RESOLUTION

WHEREAS, The Delaware County Board of Supervisors desires to complete a Housing Needs Assessment Study and Action Plan (HAAPPII); and

WHEREAS, The Delaware County Board of Supervisors desires to obtain a Planning Grant from the Iowa Department of Economic Development for HAAPPII Program; and

WHEREAS, The Delaware County Board of Supervisors desires to engage the serivces of the East Central Intergovernmental Association (ECIA) to assist the County in the preparation of the Housing Needs Assessment Study and Action Plan; and

WHEREAS, The Delaware County Board of Supervisors wishes to pladge the sum of $2,750 as "Local Effort" toward the planning activity identified in the application; and

WHEREAS, The Delaware County Board of Supervisors strongly supports the preparation of a Housing Needs Assessment Study and Action Plan.

NOW, THEREFORE BE IT RESOLVED, that the Delaware County Board of Supervisors accepts the authority and responsibilities of their offices, approves the proposed IDED HAAPPII application, authorizes the Chairperson to sign the application, and pledges the amount of $2,750, if, in fact, the HAAPPII grant is awarded by the Iowa Department of Economic Development.

PASSED, APPROVED, AND ADOPTED this 27th day of March, 2000.

/S/ Shirley E. Helmrichs, Chairperson

ATTEST: /S/ Sharon McCrabb, County Auditor

All ayes.

This being the date set by publication for a public hearing on the proposed air conditioning of the upstairs of the courthouse, Shirley Helmrichs declared the public hearing open. The Auditor advised the publication was in The Manchester Press on March 14, 2000.

There were four members of the media present along with the county engineer. There were no comments or objections to the air conditioning proposal.

Shirley Helmrichs declared the public hearing closed.

Motion made by Koeneke, seconded by Helmrichs and carried that April 17, 2000 at 1:00 p.m. be set as the date and time to receive bids for the air conditioning project. All ayes.

Mark Nahra talked to the supervisors regarding the testing and evaluating of the excavator for the secondary road department.

There being no further business, this meeting adjourned. These minutes were read and approved.

Shirley E. Helmrichs
Shirley E. Helmrichs, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

KOCH BROTHERS, DES MOINES C-089-X H-0192-1

April 3, 2000
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with Skinner and Helmrichs present and Koeneke absent. Shirley Helmrichs, Chairperson, called the meeting to order.

Motion made by Skinner, seconded by Helmrichs and carried that the following county employees be allowed to attend their respective meetings: Pam Klein, Carolyn Wilson and Sharon McCrabb to attend a Solutions meeting in Ames on April 26th and 27th; Deb Peyton approved retroactive to attend the ISAC Spring School in Des Moines on March 23rd and 24th; Bill Skinner to attend an RC & D meeting on April 5th in Maquoketa; Bill Skinner and Eldon Koeneke to attend an RTA meeting in Dyersville on April 7th. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that the following claims be approved along with the March 24th payroll in the amount of $91,327.99 through warrants #5652 - #5765:

	GENERAL BASIC FUND	
AT&T	Phone service	$595.01
U. S. Post Office	postage	2,200.00
Alliant Energy	utility service	27.63
	MENTAL HEALTH FUND	
AT&T	phone service	233.64
Alliant Energy	utility service	66.09
Amoco Oil Co.	fuel	353.29
	SECONDARY ROAD FUND	
Peoples Natural Gas	utility service	30.97
Alliant Energy	utility service	19.90

All ayes.

The second reading of Ordinance No. 3, entitled "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of this County's Secondary Roads During the Winter Months" was held. Proof of publication of the second reading was announced as March 14th in The Manchester Press and March 15th in the Delaware County Leader.

Motion made by Skinner, seconded by Helmrichs and carried that Ordinance #3 be approved and that the third reading of the ordinance be waived and the Auditor be ordered to publish the ordinance in the official newspapers of the county. Ordinance #3 reads as follows:

DELAWARE COUNTY
ORDINANCE #3

AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW OR ICE AND MAINTENANCE OF THIS COUNTY'S SECONDARY ROADS DURING THE WINTER MONTHS.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY:

SECTION 1 -- PURPOSE

The purpose of this ordinance is to establish this County's policy and level of service in respect to clearance of snow or ice and maintenance of its secondary road system during the winter months, as provided in Section 668.10(2) (1999), Code of Iowa, and pursuant to the provisions of Section 309.67, Code of Iowa. This policy and level of service are to be implemented within the amount of money budgeted for this service, and as contained in this County's secondary road budget as submitted to and approved by the Iowa Department of transportation and adopted by the Board of Supervisors. The clearing of roads at any cost is not the County's policy.

SECTION 2 -- LEVEL OF SERVICE

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. On occasion, County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee Testing Act of 1991. Except for "emergencies" as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, or frost. Snow cleared from that part of the roadway imporved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impared. The snow removed from intersections will be piled in its corners in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions. In respect to roadways that have only one lane open, further extreme watchfulness and caution should be exercised by the motorist, and their speed should not exceed 10 miles per hour. During these conditions, no additional warning or regulatory signs will be placed warning or impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

SECTION 3 -- SEQUENCE OF SERVICE

In the implementation of snow and ice removal and other maintenance of the County's secondary road system during the winter months, the County Engineer shall select the actual sequence of roads to be cleared as provided for in this section of the ordinance, and shall determine when drifting, wind velocity and additional snow or snowstorms require that the snow removal equipment be removed from the roadway, or that additional clearance of paved roads be accomplished prior to the clearance of gravel and dirt roads. The County Engineer's professional judgment, or his/her designee's, shall prevail, unless it is clearly erroneous.

PAVED ROUTES

1. The initial effort will be to get all routes open to two-lane traffic as soon as possible and or practicable. During initial snow removal operations, paved roads may only have one lane plowed for a period of time.

2. After two-lane travel is possible, subsequent snow removal will be carried on during normal working hours.

3. The truck mounted snow plows and spreaders will not normally be in operation between dusk and daylight. The trucks may be called off the road if snow and blowing reduces visability to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.

4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel may be delayed.

5. It is not the policy of the County to provide a "dry" pavement condition.

6. After roads have been plowed, as provided in this section, intersections, hills and curves may, but not necessarily, have placed on them, salt, sand, or other abrasives. These intersections, hills, and curves may not be resanded, resalted, or have other abrasives replaced on them between snowstorms.

UNPAVED ROADS

1. The initial effort will be to get all routes opened to one lane traffic as soon as possible and/or practicable after a storm has passed.

2. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.

3. Motorgraders and/or truck plows will not normally be in operation between dusk and daylight. Gravel roads may not be plowed if the wind is causing continual drifting. The motorgraders and/or truck plows may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.

4. Snow may not be removed from roads designated at Level B.

PRIVATE DRIVES

The County will not clear snow from private drives. Normal snow removal operations may result in snow being depostied in private drives. Snow from private drives shall not be placed on the roadway or shoulders.

There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved or unpaved roads, shall take place.

MAILBOX REPLACEMENT

The County will assume no liability for mailboxes and fences damaged because of snow removal unless such action can be determined to be malicious or by direct contact with a plow or wing blade. The County will not replace mailboxes damaged or knocked down by the force of snow thrown from the plow.

SECTION 4 -- LIMITATION OF SERVICE

Notwithstanding anything else stated in this ordinance, the policy and level of service provided for in this ordinance shall not include the following, and the following services shall not be performed:

1. Sanding, salting, or placing other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost.

2. Sanding, salting, or placing of other abrasives upon paved roadways due to freezing rain that occurs outside the County's usual working hours.

3. Placing of additional warning or regulatory signs warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

4. Sanding, salting, or placing abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motorgraders.

5. Removing of sand, salt, or other abrasives.

SECTION 5 -- EMERGENCY

Service or the level or sequence of service may be suspended during "Emergency" conditions. An "Emergency" condition shall be considered as one where loss of life is probable, where a serious injury has occurred, or where extensive loss of property is imminent. These conditions should be verified through the Sheriff's Office. The County may respond to all "Emergency" conditions, either during or after a snowstorm. Any person who makes a false report of an "Emergency" to an officer, official, or employee of Delaware County or who causes a false report to be so made shall, upon conviction, be subject to a fine of not more than $100.00 or imprisonment of not more than 30 days in the County Jail.

The provisions of this ordinance shall be further suspended in the event the Governor, by proclamation, implements the State Disaster Plan, or the Chairman of the Baord of Supervisros, by proclamation, implements the County Disaster Plan. If such occurs, the County personnel and equipment shall be immediately subject to the direction of the Governor or the Chairman of the Board of Supervisors.

SECTION 6 -- REPEALER

All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7 -- SEVERABILITY CLAUSE

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 8 -- WHEN EFFECTIVE

This ordinance shall be in effect immediately after its final passage and publication as provided by law.

Supervisor's Minutes,

KOCH BROTHERS DES MOINES C-089-X H-0192-1

Passed and approved this 3rd day of April, 2000.

Delaware County Board of Supervisors
/S/ Shirley E. Helmrichs, Chairperson
/S/ William Skinner, Supervisor

ATTEST:
/S/ Sharon McCrabb, Delaware County Auditor

All ayes.

Excavator quotes were considered as submitted to the Board on March 20, 2000.

Motion made by Skinner, seconded by Helmrichs and carried that the Daewoo S-200W-V submitted by RTL Equipment, Inc. for $145,500.00 be approved. Also approved were the 24" general purpose bucket for the price not to exceed $2,800.00 and the place compactor for $8,875.00. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that the Contract with Vogel Traffic for centerline painting with HD-21 in the amount of $8,265.02 be approved. All ayes.

Motion made by Skinner, seconded by Helmrichs and carried that April 17th be approved as the date set to receive pick-up and one ton cab/chassis quotes for the secondary road department. All ayes.

Larry Sheppard, Roger and Linda Recker, Les and Al Saunders and Kevin Werner were present and visited with Mark Nahra, County Engineer, and the Board of Supervisors on the paving project on 190th Avenue in Hazel Green Township. Discussion was held on the procedure for the paving project, reasons for the road grid and why roads are paved to offer farm-to-market travel and the procedure for culvert, tile and fence replacement.

There being no further business, this meeting adjourned. These minutes were read and approved.

Shirley E. Helmrichs, Chairperson

Sharon McCrabb, Auditor

****

April 10, 2000
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with all members present. Shirley E. Helmrichs, Chairperson, called the meeting to order.

Motion made by Koeneke, seconded by Skinner and carried that Carla Becker be allowed to attend a mapping school in Des Moines on April 25, 2000; Eldon Koeneke and Shirley Helmrichs to attend an Operation: New View meeting in Dubuque on April 13, 2000. All ayes.

Motion made by Skinner, seconded by Koeneke and carried that the following claims as shown on pages 327a through 327d be approved along with the payroll of April 7, 2000 in the amount of $93,176.62, warrants #5831 through #5945 and the following handwritten claim:

	General Basic Fund	
Zuck Construction	bathroom renovation	$5,584.00

All ayes.

Motion made by Skinner, seconded by Koeneke and carried that the Chairperson sign the contract with the Iowa Department of Human Services showing the contracting for services with the Backbone Area Counseling Center for the following services: outpatient therapy, community support, day treatment, emergency intervention, respite, training and coordination of services. All ayes.

This was the day set by Pat Kane, Community Services Director, to open bids for adult day services. He advised that six to fourteen people would participate Monday through Friday. Bids were opened and read as follows:

1.	Delaware County Vocational Services (home office is ARC in Dubuque)	$29.77 per day
2.	REM Developmental Services, Inc., Hiawatha	$49.75 per day $28.50 per half day

Motion made by Koeneke, seconded by Skinner and carried that the bids for adult day services be tabled for further review and study and that a decision be made at the April 17th Board meeting. All ayes.

Motion made by Skinner, seconded by Koeneke and carried that the following transfers be approved: $329,729.76 from Rural Services Fund to the Secondary Road Fund; $38,985.96 from the General Basic Fund to the Secondary Road Fund. All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the Quarterly Reporting and Billing Form - Private Water Well - Grants to Counties Program for the period January 1, 2000 through March 31, 2000 in the amount of $3,922.00 be approved. All ayes.

Motion made by Skinner, seconded by Koeneke and carried that the request of Larry Kehrli to withdraw a parcel of land described as the North four hundred (400) feet of the West six hundred twenty (620) feet of the NE¼ of the NE¼ of Section Thirty Six (36), Township Eighty Nine (89) North, Range Six (6), west of the Fifth P.M., subject to roadways and easements of record, from the agricultural area established June 13, 1994, due to prospective sale of said parcel, be approved. All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the final Financial Report of Delaware County for the fiscal year ending June 30, 1999 and submitted by Hunt, Kain & Associates, P.C. be approved. All ayes.

Motion made by Skinner, seconded by Koeneke and carried that the following quarterly reports for the period ending March 31, 2000, be approved as follows:

Sharon McCrabb, Auditor	-	Fees received and paid to the General Basic Fund	$565.80
Deb Peyton, Recorder	-	Fees received and paid to the General Basic Fund	$22,087.92
		Fees received and paid to the Recorder's Management Fund	$949.00
Ronald Wilhelm, Sheriff	-	Fees received and paid to the General Basic Fund	$18,068.46

All ayes.

Motion made by Koeneke, seconded by Skinner that the Cluster Decat Voucher in the amount of $26.40 be approved. All ayes.

This being the date set by publication in The Manchester Press on March 28th, 2000 and in the Delaware County Leader on March 29th, 2000, Shirley Helmrichs called the public hearing on the Amended County Budget to order.

There were no comments and no objections to the amended budget. Five people were present.

The hearing was declared closed.

Motion made by Skinner, seconded by Koeneke and carried that the amendment to the county budget be approved as follows:

	Total Budget Last Amended	Adopted Current Amendment	Total Budget After Current Amendment
Revenues & Other Financing Sources			
Taxes Levied on Property	$3,448,972		$3,448,972
Less: Uncollected Delinq. Taxes-Levy Year	11,000		11,000
Less: Credits to Taxpayers	323,920		323,920
Net Current Property Taxes	3,114,052		3,114,052
Delinquent Property Tax Revenue	600		600
Penalties, Interest & Costs on Taxes	30,800		30,800
Other County Taxes/TIF Tax Revenues	608,030		608,030
Intergovernmental	4,571,536	100,000	4,671,536
Licenses & Permits	12,900		12,900
Charges for Services	215,725		215,725
Use of Money & Property	204,484		204,484
Miscellaneous	93,136		93,136
Subtotal Revenues	8,851,263	100,000	8,951,263
Other Financing Sources:			
Operating Transfers In	1,208,390		1,208,390
Proceeds of Fixed Asset Sales	2,883		2,883
Total Revenues & Other Sources	10,062,536	100,000	10,162,536
Expenditures & Other Financing Uses			
Operating:			
Public Safety	1,094,052	5,000	1,099,052
Court Services	125,450		125,450
Physical Health & Education	166,000		166,000
Mental Health, MR & DD	1,989,600		1,989,600
Social Services	309,189		309,189
County Environment	527,320	100,000	627,320
Roads & Transportation	3,770,500		3,770,500
State & Local Government Services	290,069	3,500	293,569
Interprogram Services	841,390		841,390
Nonprogram Current	22,400		22,400
Capital Projects	1,186,675		1,186,675
Subtotal Expenditures	10,322,645	108,500	10,431,145
Other Financing Uses:			
Operating Transfers Out	1,208,390		1,208,390
Total Expenditures & Other Uses	11,531,035	108,500	11,639,535
Excess of Revenues & Other Sources over (Under) Expenditures & Other Uses	(1,468,499)	(8,500)	(1,476,999)
Beginning Fund Balance - July 1, 1999	3,775,601		3,775,601
Fund Balance - Unreserved/Undesignated	2,307,102	(8,500)	2,298,602
Total Ending Fund Balance - June 30, 2000	2,307,102	(8,500)	2,298,602

/S/ Shirley E. Helmrichs, Board Chairperson /S/ Sharon McCrabb, County Auditor

All ayes.

Motion made by Koeneke, seconded by Skinner and carried that the following Amended Appropriations Resolution be approved:

AMENDED APPROPRIATIONS RESOLUTION

WHEREAS, it is desired to amend appropriations for each of the different officers and departments for the fiscal year beginning July 1, 1999, in accordance with Section 331.434, Subsection 6, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Delaware County, Iowa, as follows:

Section 1. The amounts itemized by fund and by department or office on the following schedule are hereby appropriated from the resources of each fund so itemized, and the department or office listed in the first column on the same line of the schedule.

Section 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations form the itemized fund, effective July 1, 1999.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 1999/2000 budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the board and recommend appropriate corrective action.

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the

Delaware Co
Auditor

in case of Ordinance # 3

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 11 day of April A.D. 20 00, and the last on the 11 day of April A.D. 20 00

Publication fee, $

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 11 day of April A.D. 20 00

Witness my hand and seal the date last above written.

Peggy A. McElly Notary Public

NOTARIAL SEAL IOWA
PEGGY A. MCELLY
MY COMMISSION EXPIRES
8/13/00

DELAWARE COUNTY

ORDINANCE NO. 3

AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW OR ICE AND MAINTENANCE OF THIS COUNTY'S SECONDARY ROADS DURING THE WINTER MONTHS.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY:

SECTION 1 - - PURPOSE

The purpose of this ordinance is to establish this County's policy and level of service in respect to clearance of snow or ice and maintenance of its secondary road system during the winter months, as provided in **Section 668.10(2) (1999), Code of Iowa**, and pursuant to the provisions of Section 309.67, Code of Iowa. This policy and level of service are to be implemented within the amount of money budgeted for this service, and as contained in this County's secondary road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Board of Supervisors. **The clearing of roads at any cost is not the County's policy.**

SECTION 2 - - LEVEL OF SERVICE

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. **On occasion, County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee Testing Act of 1991. Except for emergencies as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of** snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, or frost. Snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removed from intersections will be piled in its corners in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions.

In respect to roadways that have only one lane open, further extreme watchfulness and caution should be exercised by the motorist, and their speed should not exceed 10 miles per hour. During these conditions, no additional warning or regulatory signs will be placed warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

SECTION 3 - - SEQUENCE OF SERVICE

In the implementation of snow and ice removal and other maintenance of the County's secondary road system during the winter months, the County Engineer shall select the actual sequence of roads to be cleared as provided for in this section of the ordinance, and shall determine when drifting, wind velocity, and additional snow or snowstorms require that the snow removal equipment be removed from the roadway, or that additional clearance of paved roads be accomplished prior to the clearance of gravel and dirt roads. The County Engineer's professional judgment, **or his/her designee's**, shall prevail, unless it is clearly erroneous.

PAVED ROUTES

1. The initial effort will be to get all routes open to **two-lane** traffic as soon as possible and or practicable. **During initial snow removal operations, paved roads may only have one lane plowed for a period of time.**
2. After two-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. The truck mounted snow plows and spreaders will not normally be in operation between dusk and daylight. The trucks may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.
4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel may be delayed.
5. It is not the policy of the County to provide a "dry" pavement condition.
6. **After roads have been plowed, as provided in this section, intersections, hills, and curves may, but not necessarily, have placed on them, salt, sand, or other abrasives. These intersections, hills, and curves may not be resanded, resalted, or have other abrasives replaced on them between snowstorms.**

UNPAVED ROADS

1. The initial effort will be to get all routes opened to one-lane traffic as soon as possible and/or practicable after a storm has passed.
2. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. Motorgraders and/or truck plows will not normally be in operation between dusk and daylight. Gravel roads may not be plowed if the wind is causing continual drifting. **The motorgraders and/or truck plows may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.**
4. Snow may not be removed from roads designated at Level B.

PRIVATE DRIVES

The County will not clear snow from private drives. Normal snow removal operations may result in snow being deposited in private drives. Snow from private drives shall not be placed on the roadway or shoulders.

There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved or unpaved roads, shall take place.

MAILBOX REPLACEMENT

The County will assume no liability for mailboxes and fences damaged because of snow removal unless such action can be determined to be malicious or by direct contact with a plow or wing blade. The County will not replace mailboxes damaged or knocked down by the force of snow thrown from the plow.

SECTION 4 - - LIMITATION OF SERVICE

Notwithstanding anything else stated in this ordinance, the policy and level of service provided for in this ordinance shall not include the following, and the following services shall not be performed:

1. Sanding, salting, or placing other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost.
2. Sanding, salting, or placing of other abrasives upon paved roadways due to freezing rain that occurs outside the County's usual working hours.
3. Placing of additional warning or regulatory signs warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.
4. **Sanding, salting, or placing abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motorgraders.**

SECTION 8 -- WHEN EFFECTIVE

This ordinance shall be in effect immediately after its final passage and publication as provided by law.

Passed and approved this 3rd day of April, 2000.

Delaware County Board of Supervisors
/S/ Shirley E. Heinrichs, Chair
/S/ William Skinner, Supervisor
(Absent) G. Eldon Koeneke, Supervisor

ATTEST:
/S/Sharon McCrabb, Delaware County Auditor

First Reading:	March 27th, 2000
Second Reading:	April 3, 2000
Approved:	April 3, 2000
Published:	April 11 & 12, 2000

P015

Legal Notice
Delaware County
ORDINANCE NO. 3

AN ORDINANCE TO ESTABLISH THE POLICY AND LEVEL OF SERVICE IN RESPECT TO CLEARANCE OF SNOW OR ICE AND MAINTENANCE OF THIS COUNTY'S SECONDARY ROADS DURING THE WINTER MONTHS.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY:

SECTION 1 - PURPOSE

The purpose of this ordinance is to establish this County's policy and level of service in respect to clearance of snow or ice and maintenance of its secondary road system during the winter months, as provided in Section 668.10(2) (1999), Code of Iowa, and pursuant to the provisions of Section 309.67, Code of Iowa. This policy and level of service are to be implemented within the amount of money budgeted for this service, and as contained in this County's secondary road budget as submitted to and approved by the Iowa Department of Transportation and adopted by the Board of Supervisors. The clearing of roads at any cost is not the County's policy.

SECTION 2 - LEVEL OF SERVICE

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. On occasion, County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee Testing Act of 1991. Except for "emergencies" as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, or frost. Snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removed from intersections will be piled in its corners in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions. In respect to roadways that have only one lane open, further extreme watchfulness and caution should be exercised by the traffic as soon as possible and or practicable. During initial snow removal operations, paved roads may only have one lane plowed for a period of time.

2. After two-lane travel is possible, subsequent snow removal will be carried on during normal working hours.

3. The truck mounted snow plows and spreads will not normally be in operation between dusk and daylight. The trucks may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.

4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel may be delayed.

5. It is not the policy of the County to provide a "dry" pavement condition.

6. After roads have been plowed, as provided in this section, intersections, hills and curves may, but not necessarily, have placed on them, salt, sand, or other abrasives. These intersections, hills and curves may not be resanded, resalted, or have abrasives replaced on them between snowstorms.

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There is no time limit after a snowstorm in which any of the impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

4. Sanding, salting or placing other abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motorgraders.

5. Removing of sand, salt, or other abrasives.

SECTION 5 - EMERGENCY

Service or the level of sequence of service may be suspended during "Emergency" conditions. An "Emergency" condition shall be considered as one where loss of life is probable, where a serious injury has occurred, or where extensive loss of property is imminent. These conditions should be verified through the Sheriff's Office. The County may respond to all "Emergency" conditions, either during or after a snowstorm. Any person who makes a false report of an "Emergency" to an officer, official, or employee of Delaware County or who causes a false report to be so made shall, upon conviction, be subject to a fine of not more than $100.00 or imprisonment of not more than 30 days in the County Jail.

The provisions of this ordinance shall be further suspended in the event the Governor, by proclamation, implements the State Disaster Plan, or the Chairman of the Board of Supervisors, by proclamation, implements the County Disaster Plan. If such occurs, the County personnel and equipment shall be immediately subject to the direction of the Governor or the Chairman of the Board of Supervisors.

SECTION 6 - REPEALER

All ordinances and resolutions, or parts thereof, in conflict

State of Iowa, Delaware County, ss
I, Mary Neele being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was publishe in said newspaper for one consecutive wee beginning April 12 2000, and ending Same 20 .
PRINTERS FEES: $ 108.70

Mary Neele

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Neele
ON THIS 27th DAY OF April, 2000

Brenda Kelcher
Notary Public

BRENDA K. KELC
MY COMMISSION EXPIRES
04 13 02

SECTION 2 - LEVEL OF SERVICE

Clearance of snow or ice and maintenance of the secondary road system during the winter months is primarily for the benefit of the local residents of this County. Each storm has individual characteristics and must be dealt with accordingly. The portion of the roadway improved for travel will have upon it snow and ice in compacted condition. These conditions may be continuous, or they may be more concentrated on hills, in valleys, curves, and/or intersections. The County's existing snow removal equipment will be utilized for this purpose. On occasion, County personnel may be rendered unavailable due to the requirements of the Omnibus Transportation Employee Testing Act of 1991. Except for "emergencies" as determined by the County Engineer's professional judgment, or his/her designee acting in his/her absence, on a case by case basis, all clearance of snow or ice, sanding, salting, and other maintenance respecting winter conditions shall be accomplished within the amount of money budgeted for this service and as practicable. The entire width of that portion of the road improved for travel may not be cleared of snow, ice, compacted snow and ice, or frost. Snow cleared from that part of the roadway improved for travel shall be placed on or in the adjacent shoulder, ditch, or right of way. Snow can be expected to accumulate adjacent to the traveled portion to the extent that a motorist's sight distance to both the left and right may be greatly reduced or impaired. The snow removed from intersections will be piled in its corners in piles of unequal height. The lines of sight, sight distance, or visibility of motorists approaching these intersections may be greatly reduced or impaired. The County shall not be responsible for snow pushed or otherwise placed on the roadway or shoulders by others. Motorists shall drive their vehicles during these conditions with additional caution and watchfulness, especially in respect to the surface of the roadway, and reduced or impaired visibility, and are advised to reduce their speed at least 25 miles per hour below that legally permitted or advised under normal conditions. In respect to roadways that have only one lane open, further extreme watchfulness and caution should be exercised by the motorist, and their speed should not exceed 10 miles per hour. During these conditions, no additional warning or regulatory signs will be placed warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.

SECTION 3 - SEQUENCE OF SERVICE

In the implementation of snow and ice removal and other maintenance of the County's secondary road system during the winter months, the County Engineer shall select the actual sequence of roads to be cleared as provided for in this section of the ordinance, and shall determine when drifting, wind velocity and additional snow or snowstorms require that the snow removal equipment be removed from the roadway, or that additional clearance of paved roads be accomplished prior to the clearance of gravel and dirt roads.

PAVED ROUTES

1. The initial effort will be to get all routes open to two-lane traffic as soon as possible and or practicable. During initial snow removal operations, paved roads may only have one lane plowed for a period of time.
2. After two-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. The truck mounted snow plows and spreads will not normally be in operation between dusk and daylight. The trucks may be called off the road if snow and blowing reduces visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.
4. When required, due to drifting snow, motorgraders may be used to keep the paved roads open and the opening of gravel may be delayed.
5. It is not the policy of the County to provide a "dry" pavement condition.
6. After roads have been plowed, as provided in this section, intersections, hills and curves may, but not necessarily, have placed on them, salt, sand, or other abrasives. These intersections, hills and curves may not be resanded, resalted, or have abrasives replaced on them between snowstorms.

UNPAVED ROADS.

1. The initial effort will be to get all routes opened to one lane traffic as soon as possible and/or practicable after a storm has passed.
2. After one-lane travel is possible, subsequent snow removal will be carried on during normal working hours.
3. Motorgraders and/or truck plows will not normally be in operation between dusk and daylight. Gravel roads may not be plowed if the wind is causing continual drifting. The motorgraders and/or truck plows may be called off the road if snow and blowing visibility to hazardous working conditions, in the professional judgment of the Engineer or his delegated representative.
4. Snow may not be removed from roads designated at Level B.

PRIVATE DRIVES

The County will not clear snow from private drives. Normal snow removal operations may result in snow being deposited in private drives. Snow from private drives shall not be placed on the roadway or shoulders.

There is no time limit after a snowstorm in which any of the above sequence of clearance, on paved or unpaved roads, shall take place.

MAILBOX REPLACEMENT

The County will assume no liability for mailboxes and fences damaged because of snow removal unless such actions can be determined to be malicious or by direct contact with a plow or wing blade. The County will not replace mailboxes damaged or knocked down by the force of snow thrown from the plow.

SECTION 4 - LIMITATION OF SERVICE

Notwithstanding anything else stated in this ordinance, the policy and level of service provided for in this ordinance shall not include the following, and the following services shall not be performed:

1. Sanding, salting, or placing other abrasives upon the roadways that are slick, slippery, and dangerous due to the formation of frost.
2. Sanding, salting or placing other abrasives upon paved roadways due to freezing rain that occurs outside the County's usual working hours.
3. Placing of additional warning or regulatory signs warning of impaired sight distances, visibility at intersections, road blockages, one-lane conditions, or that the road surface is slick or slippery, or what the advised speed should be.
4. Sanding, salting or placing other abrasives upon any road, except for paved roads. If in the opinion of the County Engineer, or his/her designee, an "emergency" exists and ice has built up on hills and intersections on the gravel system that slope down to another road so as to become dangerous, abrasive material may be applied at these locations as crew and equipment availability allows and only as a last resort. This condition will not, under any circumstances, take a higher priority than placing of abrasive material on the paved road system and will only be done after the paved roads are cleared of ice and snow. Abrasive material will also only be placed after other mechanical means have been tried and failed, such as scraping with motorgraders.
5. Removing of sand, salt, or other abrasives.

SECTION 5 - EMERGENCY

Service or the level of sequence of service may be suspended during "Emergency" conditions. An "Emergency" condition shall be considered as one where loss of life is probable, where a serious injury has occurred, or where extensive loss of property is imminent. These conditions should be verified through the Sheriff's Office. The County may respond to all "Emergency" conditions, either during or after a snowstorm. Any person who makes a false report of an "Emergency" to an officer, official, or employee of Delaware County or who causes a false report to be so made shall, upon conviction, be subject to a fine of not more than $100.00 or imprisonment of not more than 30 days in the County Jail.

The provisions of this ordinance shall be further suspended in the event the Governor, by proclamation, implements the State Disaster Plan, or the Chairman of the Board of Supervisors, by proclamation, implements the County Disaster Plan. If such occurs, the County personnel and equipment shall be immediately subject to the direction of the Governor or the Chairman of the Board of Supervisors.

SECTION 6 - REPEALER

All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7 - SEVERABILITY CLAUSE

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 8 - WHEN EFFECTIVE

This ordinance shall be in effect immediately after its final passage and publications as provided by law.

Passed and approved this 3rd day of April, 2000.

Delaware County Board
of Supervisors
Shirley Helmrichs, Chair
William Skinner, Supervisor
Absent
G. Eldon Koeneke, Supervisor

ATTEST:
Sharon McCrabb,
Delaware County Auditor

First Reading: March 27, 2000
Second Reading: April 3, 2000
Approved: April 3, 2000
Published: April 11 & 12, 2000.

State of Iowa, Delaware County, ss
I, Mary Neele being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive week beginning April 12 2000, and ending same 20__.
PRINTERS FEES: $ 108.70

Mary Neele

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Neele
ON THIS 27th DAY OF
April, 2000

Brenda Kercher
Notary Public

BRENDA K. KERCHER
MY COMMISSION EXPIRES
04-13-02